



SEALED

**Office of the United States Attorney
District of Nevada
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
(702) 388-6336**

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

STEVEN W. MYHRE
 Acting United States Attorney
 Nevada Bar No. 9635
 DANIEL J. COWHIG
 Assistant United States Attorney
 United States Attorney's Office
 501 Las Vegas Boulevard South, Suite 1100
 Las Vegas, Nevada 89101-6514
 (702) 388-6336 / Fax: (702) 388-6020

 Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PONCE, JR.,

Defendant.

Case No.: 2:16-cr-368-APG

**** UNDER SEAL ****

STIPULATION TO CONTINUE
SENTENCING

FIRST REQUEST

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of
 America, through Steven W. Myhre, Acting United States Attorney, and Daniel J. Cowhig, Assistant
 United States Attorney, and the defendant ROBERT PONCE, JR., and his attorney, Randall Roske,
 that:

1. The sentencing hearing in United States v. Robert PONCE, Jr., currently scheduled
 for September 7, 2017 at 1:30pm in Las Vegas Courtroom 6C, be continued until a date and time
 convenient to the Court, but not less than 6 months from the currently scheduled date.

2. Pursuant to commitments contained in the written plea agreement, defendant PONCE
 is assisting law enforcement agencies in ongoing criminal investigations. While the United States is
 unable to predict the duration of those investigations, postponement of the sentencing proceedings to

1 allow defendant PONCE to continue to assist in those investigations is in the interest of justice. The
2 United States is not aware of any substantive violations of the presentencing release conditions
3 imposed by the Court.

4 3. Defendant PONCE is at liberty, having been released on a personal recognizance
5 bond with conditions. Defendant PONCE agrees to this continuance.

6 4. Denial of this request could result in a miscarriage of justice because it would
7 substantially limit defendant PONCE's ability to carry through on his commitment in the plea
8 agreement to assist law enforcement authorities.

9 5. This is the first request to continue the sentencing hearing.

10 6. The parties seek this continuance in good faith, not for the purposes of delay.

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12 STEVEN W. MYHRE,
13 Acting United States Attorney

14 DATE 7/27/17

15 
16 DANIEL J. COWHIG
17 Assistant United States Attorney

18 DATE July 7, 2017

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20 RANDALL ROSKE, ESQ.
21 Counsel for Defendant ROBERT PONCE, JR.
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT PONCE, JR.,

Defendant.

Case No.: 2:16-cr-368-APG

** UNDER SEAL **

PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER TO CONTINUE
SENTENCING

Based on representations of the parties contained in the pending stipulation (ECF No.

_____) and the record in this case, the Court FINDS:

1. Pursuant to commitments contained in the written plea agreement, defendant PONCE is assisting law enforcement agencies in ongoing criminal investigations. While the United States is unable to predict the duration of those investigations, postponement of the sentencing proceedings to allow defendant PONCE to continue to assist in those investigations is in the interest of justice. The United States is not aware of any substantive violations of the presentencing release conditions imposed by the Court.

2. Defendant PONCE is at liberty, having been released on a personal recognizance bond with conditions. Defendant PONCE agrees to this continuance.

3. Denial of this request could result in a miscarriage of justice because it would substantially limit defendant PONCE's ability to carry through on his commitment in the plea agreement to assist law enforcement authorities.

4. This is the first request to continue the sentencing hearing.

5. The parties seek this continuance in good faith, not for the purposes of delay.

6. The requested postponement of the sentencing hearing in this matter does not implicate the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

IT IS HEREBY ORDERED:


1. The sentencing hearing in United States v. Robert PONCE, Jr., currently scheduled for September 7, 2017 at 1:30pm in Las Vegas Courtroom 6C, be continued until _____, March 6, 2018 at 9:30 a.m. in Las Vegas Courtroom 6C;

2. The Clerk of Court shall notify the United States Probation Office of the new hearing schedule, and;

3. This filing, this order, and this matter remain UNDER SEAL.

IT IS SO ORDERED.

DATE July 31, 2017


ANDREW P. GORDON
United States District Judge